



KAPLAN KIRSCH ROCKWELL

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June 21, 2010

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Ms. Cynthia T. Brown  
Chief, Section of Administration  
Office of Proceedings  
Surface Transportation Board  
395 E Street, S.W.  
Washington, DC 20423-0001

Re: *CSX Transportation, Inc. and Delaware and Hudson Railway Company, Inc.*  
*Joint Use Agreement, Finance Docket No. 35348*

Dear Ms. Brown:

I am enclosing the Certificate of Service of the New York City Economic Development Corporation pursuant to Board Decision No. 3 showing service of all filings to date on all parties of record in the above-referenced proceeding. Please note that documents EDC 2-5 are discovery requests served upon the Applicants' counsel but not filed with the Board, therefore we are not serving those copies on all parties of record.

Sincerely,

Allison I. Fultz

Enclosure

290346

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**BEFORE THE  
SURFACE TRANSPORTATION BOARD**

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**Finance Docket No. 35348**

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**CSX TRANSPORTATION, INC. & DELAWARE AND HUDSON  
RAILWAY COMPANY, INC – JOINT USE AGREEMENT**

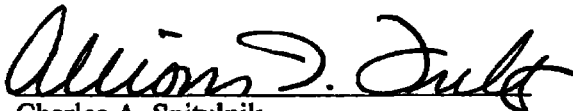
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**CERTIFICATE OF SERVICE  
PURSUANT TO THE BOARD'S DECISION NO. 3**

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The undersigned counsel for New York City Economic Development Corporation (NYCEDC), hereby certifies that copies of NYCEDC's filings to date have been served by first class mail, postage prepaid, on all Parties of Record designated on the Service List attached to the Board's Decision No. 3 dated June 15, 2010.

Respectfully submitted



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Attorneys for New York City  
Economic Development Corporation

Dated: June 21, 2010

Before the  
SURFACE TRANSPORTATION BOARD

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FINANCE DOCKET NO. 35348

CSX TRANSPORTATION, INC. AND  
DELAWARE AND HUDSON RAILWAY COMPANY, INC. --  
JOINT USE AGREEMENT

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NOTICE OF INTENT OF  
NEW YORK CITY ECONOMIC DEVELOPMENT CORPORATION  
TO PARTICIPATE

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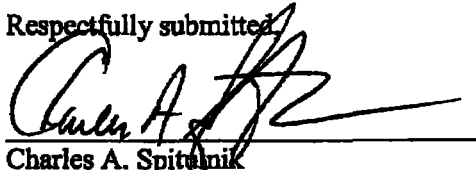
NEW YORK CITY ECONOMIC DEVELOPMENT CORPORATION ("NYCEDC")  
hereby submits its notice of intent to participate as a party of record in this proceeding. Please  
add NYCEDC to the service list in this proceeding and serve all filings, decisions and notices in  
this proceeding on:

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Allison I. Fultz  
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Dated: June 7, 2010

Respectfully submitted,



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**CERTIFICATE OF SERVICE**

I hereby certify that I have this 7<sup>th</sup> day of June, 2010, caused to be served a copy of the foregoing NOTICE OF INTENT OF NEW YORK CITY ECONOMIC DEVELOPMENT CORPORATION TO PARTICIPATE upon the following persons by first class mail with postage prepaid:

Terence M. Hynes  
Jeffrey S. Berlin  
Matthew J. Warren  
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1501 K Street, N.W.  
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Hon. Ray LaHood  
Secretary of Transportation  
U.S. Department of Transportation  
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Melanie B. Yasbin  
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Hon. Eric Holder  
Attorney General of the United States  
c/o Assistant Attorney General  
U.S. Department of Justice  
Antitrust Division, Room 3109  
Washington, DC 20530

  
Charles A. Spitulnik